



Loudoun County, Virginia

Department of Building and Development

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Technical and Procedural Newsletter

June 27, 2005

TO: Members of the Land Development and Building Community

FROM: Terrance D. Wharton, Director

The purpose of this correspondence is to inform the Land Development and Building Community of technical and procedural updates that have recently transpired. Please distribute this information to applicable personnel within your organization.

Topic included in this edition:

- **Site Plan Bonding Policy**

Site Plan Bonding Policy

Effective July 1, 2005, the FSM amendment DOAM-2004-0001 takes effect. Among its changes is the authorization in Section 8.304 of the FSM for the Director to bond site plans at a percent less than 100% of the approved Bond Estimate, as established by myself as Director. The bonding percentage shall be published, shall be subject to periodic review by the Bond Committee for sufficiency, and shall be subject to change without notice. Changes shall be published thereafter in this periodical. I hereby establish this rate at 35% of the approved Bond Estimate as calculated based on the current bond estimating forms.

This published bonding percentage rate shall apply to non-VDOT improvements only. If VDOT improvements are a feature of a site plan, the two alternatives for bonding such VDOT improvements are as follows:

1. As part of the overall site plan bond, but without applying the published bonding percentage (i.e. bonded at 100% for all components of the site plan) and including a State Maintained Roads Agreement; or,
2. As a separate bond, posted for 100% of all components in the right of way, and including a State Maintained Roads Agreement.

The posting of the Bond at the approved bonding percentage rate waives the applicant's right to any bond reduction prior to complete release. The acceptance of the Bond by the Director at the

approved bonding percentage rate shall not preclude the Director from requiring an increase in the Bond amount during any Extension process as deemed appropriate.

Components bonded in site plans remain unchanged. They are all of the components shown in the bond estimating forms WITH THE EXCEPTION OF earthwork, which is bonded for Construction Plans and Profiles (CPAP) only. Additionally, structured parking (multilevel parking garages) has been determined to be an item that is not bonded unless it is a proffer bond.

Finally, the delineation of bonding requirements for improvements in the right of way is as follows:

If the ROW improvement is required for by the County (i.e. in ZMAP, SBPL, SPEX, previous STPL or other applications), the improvement must be bonded.

If the ROW improvement was not required by the County in previous applications, but is subsequently required by VDOT as a frontage improvement as a result of first or subsequent submission comments by VDOT, and exists entirely within the dedicated right of way, it is not required to be bonded, as it will be subject to a VDOT bond.

If the improvement requires additional ROW dedication, but would otherwise not require bonding with the County in accordance with the provisions above, the bond shall not be required if the ROW dedication is recorded prior to the bond submission.